

# Yellowstone National Park



National Park Service  
U.S. Department of the Interior

## Commercial Use Authorization (CUA) Information and Application Package

2013-2014

### Information and Application Package Contents

- I. Commercial Use Authorization Information and Instructions
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*(All applications must be type-written. Forms may be filled in on a computer and printed for mailing)*

## Commercial Use Authorization Information and Instructions

### ***What is a Commercial Use Authorization (CUA)?***

Public Law 105-391, Section 418, which was signed in 1998, provides for the issuance of Commercial Use Authorizations (CUA) to a private person, corporation, or other entity to provide suitable commercial services for park area visitors. Commercial activities are generally prohibited in National Parks unless authorized by a CUA or concession contract. Prior to 2006, an Incidental Business Permit was used to authorize the type of activities that are now authorized under a CUA.

### ***What types of activities are authorized in Yellowstone National Park under a CUA?***

- |                          |                              |
|--------------------------|------------------------------|
| ▪ Day Hiking             | Overnight Backcountry Trips  |
| ▪ Painting & Photography | Road-based Transportation    |
| ▪ Motorized Boating      | Towing                       |
| ▪ Non-motorized boating  | Skiing/Snowshoeing           |
| ▪ Biking                 | Stream and Shoreline Fishing |
| ▪ RV Repair              | Locksmith                    |
| ▪ Water Access           |                              |

### ***What are the general requirements for the issuance of a CUA?***

- The authorization is issued to a qualified operator to permit the provision of suitable commercial services to park area visitors. (A qualified operator is a person that the superintendent determines has the ability to satisfactorily provide visitor services and carry out the terms of the CUA.)
- The superintendent determines that commercial services: (a) will have minimal impact on park area's resources and values; (b) are consistent with the purposes for which the park area was established; and, (c) are consistent with all applicable park area management plans, policies, and regulations.

***For what length of time is a CUA issued?*** CUAs are issued for a two-year period.

Application period – October 1 – March 1

***What are the fees for a CUA?***

A non-refundable annual fee of \$300 for each service category is due when the CUA is issued.

Additional fee – A percentage of gross receipts will be due by January 31 each year with the year-end financial statement. The additional fee is due January 31, 2015.

- Businesses with gross receipts of \$125,000 or less pay 2% of gross receipts.
- Businesses with gross annual receipts of more than \$125,000 but less than \$250,000 pay 3% of gross receipts.
- Businesses with gross receipts of \$250,000 or more but less than \$500,000 pay 4% of gross receipts.
- Businesses with gross receipts of \$500,000 or more pay 5% of their gross receipts.

“Gross receipts” means the total amount of all revenues received from services offered within Yellowstone National Park, excluding services provided by other concessioners. Those services might include transportation, lodging & meals. Services conducted outside the park are not included in the gross receipts amount when calculating the assessed fee.

***How are fees determined?***

The above fees are based on an estimate of the Park’s costs per CUA. CUA fees are subject to change in the future if the park’s costs for managing and administering this program changes.

***Why does the park charge a fee for a CUA?***

National Park Service Policy requires the Superintendent to charge a reasonable fee for CUA’s. The park retains these fees to help pay for the cost of the CUA program including administration, evaluations, monitoring and training.

***What are the insurance requirements?***

- |  |   |
|--|---|
| • General liability insurance  | \$1,000,000 minimum coverage limits   |
| • Automobile liability insurance*  | \$300,000 (vehicle capacity 5 passengers or less)   |
| *Required for any vehicles you will drive in the Park, regardless of whether customers will ride in these vehicles | \$500,000 (vehicle capacity 6 to 12 passengers)   |
|  | \$750,000 (vehicle capacity 13 to 20 passengers)  |
|  | \$1,500,000 (vehicle capacity 21 to 50 passengers)  |
| • Other insurance  | Other insurance may be required for specialized types of activities and is specified in the CUA conditions. |
| • Additional insured requirement   | The U.S. Government ( <i>National Park Service</i> ,  |

*Yellowstone National Park, P.O. Box 168, must be listed as an additional insured.*

***What are the other CUA requirements?***

- The holder must comply with all of the general and specific conditions described in the sample CUA included in this application package. You should familiarize yourself with these conditions before applying for a CUA.
- The holder must comply, review and sign the specific operating plans for each service category.
- The holder must complete and submit a monthly Commercial Use Authorization Financial and Park Use Report to the Concessions Management Specialist by January 31 of each year, for business you conducted in the Park the preceding year.

***How long does it take to obtain a CUA?***

You should anticipate that you will receive the issuance of a CUA from December 1 to April 1 of the issuing year (depending on when you submitted your application). The actual time required for issuance is a minimum of 30 days. Delays often occur because all the required paperwork is not returned promptly or because there are errors or omissions in items submitted.

***How do I obtain a CUA?***

**#1. Understand the CUA requirements, general and specific conditions before you apply**

- Review these instructions and the sample CUA carefully to make sure you understand the CUA requirements.
- Contact Concessions Management Specialist Sue Williams with any questions;  
Telephone: (307) 344-2671  
Email: [Sue\\_f\\_Williams@nps.gov](mailto:Sue_f_Williams@nps.gov)

**#2. Apply for the CUA**

In order to apply for a CUA, you should submit the following items:

- Application for Commercial Use Authorization
  - Application Questions and Statement of Experience
    - **Forms may be filled in on a computer and printed for mailing**
- Mail forms to:**  
**Yellowstone National Park**  
**P.O. Box 168**  
**Yellowstone National Park, WY 82190**  
**Attention: Sue Williams**

**#3. If NPS approves the CUA, you will need to provide the following items to the Park:**

- Check in the amount of \$300.00 for each service category, made payable to the National Park Service.
- Commercial Use Authorization: Pages 1 and 2 of the CUA with your signature.
- Signed Operating Plans for each service category for which you are applying.

- Certificate of Insurance documenting that the required coverage is in force and listing Yellowstone National Park as an additional insured (The ACCORD certificate is a standard form used by the insurance industry).
- Advertising – website addresses for the business activities you will conduct in the Park.
- A list of guides and expiration dates of first-aid/CPR certification for each.

A copy of the CUA will be returned to you for your records.

- #4.** You are not authorized to begin providing commercial services in the Park until you receive the CUA that has been approved by the Superintendent and your requested guide cards.
- #5. Review your CUA**  
Review the CUA conditions before you begin conducting business in the Park and make sure that your employees are also familiar with the CUA conditions.
- #6. Begin providing commercial services in the Park.**

***What are my responsibilities as a CUA holder?***

- **Carry a copy of your CUA guide card** while you are working in Yellowstone National Park.
- **Comply with all CUA conditions.**

Your CUA may be revoked and/or you may become ineligible for issuance of a new CUA if you fail to comply with the CUA conditions.

- **Keep good records for the Monthly Use Reports and the CUA Financial Report**
  - Submit the monthly use report; use only this form. This is a fillable report and needs to be filled out on-line. Please do not recreate this form.
  - Review the Commercial Use Authorization Financial Report and familiarize yourself with the information you will need to submit later.
  - Keep good records during the year to make it easy to complete your report at the end of the year.
- **Submit the CUA Financial Report**

Submit the Commercial Use Authorization Financial Report by January 31 for the preceding year. If you fail to return this Report, you may lose your CUA and/or become ineligible for issuance of a new CUA.

- **Submit insurance documents when policies change or renew.**

You are responsible for submitting new certificates of insurance whenever policies for the required coverage changes or the policies renew. Although your insurance company should send certificates automatically to the park as an additional insured, you must make sure that new certificates have been mailed to the park.

- **Update CUA Application Form as needed**

Submit a new CUA Application form to the Concessions Management Office if any of the following change during the term of your CUA:

- Business name
  - Business or individual name, address, telephone numbers
  - Guide, employee, or associated business information
  - Business changes in ownership
  - Vehicle information
- **Who do I contact with questions?**

Sue Williams  
Concessions Management Specialist  
Telephone (307) 344-2671

Email: [sue\\_f\\_williams@nps.gov](mailto:sue_f_williams@nps.gov)

***Does a non-profit organization need to obtain a CUA?***

- A **non-profit organization** is not required to obtain a CUA to conduct activities in a park area even if the activities would otherwise be subject to authorization by a CUA if the non-profit organization does not derive taxable income from the activities.
- A non-profit organization will be required to obtain a Special Use Permit for these activities.

Instructions for the Application Form:

**This form must be completed by all applicants**

Completing This Form:

Please type or print in ink. Numbered instructions/explanations correspond to item numbers on the form.

1. Enter the name of the particular type of commercial operations (service category) for which you are applying.
2. Give the name, as it is legally referred to, of the person, firm company or other legally recognized entity that will operate the CUA. In addition, clearly identify any secondary name you are using (e.g. any d/b/a).
3. Check the box that identifies your type of business and supply the information requested in any box you have checked.
4. Give the name, title and other requested contact information (both summer and winter) of the person who will be providing the service of the CUA and who can be contacted by the reviewing park staff if necessary.
5. Give the complete mailing address (both for the summer and the winter) where correspondence should be sent. This information may also be published on the NPS website.
6. Provide your Employer Identification Number (EIN). This is a requirement of the 1996 Debt Collection Act. The EIN that you provide will be used as needed to collect debts.
7. National Park Service policy prohibits employees of the National Park Service and their spouses and minor children from acquiring or retaining any authorization conducting commercial services in a Park area.
8. Enclose a copy of the business license issued from the city or county in which the business is located. If your city or county does not require a business license, please provide this information in response to item 9.
9. Provide names and titles of employees who will work in the Park under the authority of the CUA, if issued. These are usually staff members that are your employees (not contracted service). Use additional paper if needed.
10. Provide the requested information.
11. Provide the requested information.

12. Provide the requested information.

13. The holder is prohibited from knowingly giving false information. To do so will be considered a breach of conditions and be grounds for revocation: [RE:36 CFR 2.32(a)(3)].